

THE
T R I A L
OF
Mrs. W I L M O T,
DISCLOSING A SINGULAR
COURSE OF ADULTERY.

[Price Two Shillings.]

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THE
T R I A L
OF
FANNY WILMOT,
WIFE OF
JOHN WILMOT, Esq. M. P.
FOR
Adultery with a Footman.

CONTAINING
THE WHOLE OF THE CURIOUS DEPOSITIONS OF THE
SERVANTS, AND OTHERS,
WHO DESCRIBED THIS SINGULAR AND LAMENTABLE AMOUR,
FROM ITS RISE AND PROGRESS IN THE DRAWING-ROOM,
TO ITS VERY EXTRAORDINARY AND AFFECTING
DISCLOSURE AT WASHBORN'S LODGINGS.

With the Result of the Sentence of the Ecclesiastical Court.

LONDON:

PRINTED FOR J. DAWSON, RED LION-STREET, A FEW DOORS
FROM HOLBORN; AND SOLD BY ALL BOOKSELLERS.

1792.



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COPY OF DEPOSITIONS.

JUNE 10, 1791.

ELIZABETH BARNES, Spinster, Lady's Maid in the family of Sir JOHN DALLING, Bart. in Upper Harley-street, in the county of Middlesex, aged about twenty-eight years, a witness, produced and sworn.

TO the fifth article of the said libel, this deponent saith, that on or about the thirteenth of June, in the year 1786, she went to live in the family of John Wilmot, Esquire, party in this cause, in the capacity of own woman to Fanny Wilmot his wife, the other party in this cause, and this deponent continued to live in the said family in that capacity, until sometime on or about the fifteenth day of May last, and from the time this deponent so went to live in this family, they, the said John Wilmot and Fanny Wilmot his wife, lived and cohabited together as lawful husband and wife; and they have six children, to-wit, one son and five daughters, who are all now living, and the youngest of them about the age of five years; and they, the said John Wilmot and Fanny Wilmot his wife, so lived and cohabited together at the house of the said John Wilmot, situate in Bedford-row, in the parish of Saint Andrew, Holborn, in the county of Middlesex, and also at the late house of the said John Wilmot at Wandsworth, in the county of Surry, until on or

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about the twenty-fifth day of April last ; and they, the said John Wilmot and Fanny Wilmot his wife, upon all occasions owned and acknowledged each other as lawful husband and wife, and for, and as such they were, and are commonly accounted, reputed, and taken to be ; and during the time they, the said John Wilmot and Fanny Wilmot his wife, lived and cohabited together, he, as far as this deponent was a witness, constantly, and upon all occasions, behaved to and treated his said wife with great tenderness, love, and affection.

To the eleventh article of the said libel, this deponent saith, that the articulate Edward Washborn, who lived in the capacity of footman in the family of the said John Wilmot, quitted the said family on or about the seventh of February last, to the best of her recollection and belief as to the time ; that this deponent did not know that the said John Washborn was going to quit the family, until some few days before he was actually discharged from the same : and further to the said article she knows not to depose.

To the fifteenth article of the said libel, this deponent saith, on a day happening, as she believes, in the month of March last, but the time particularly she cannot recollect, the said Fanny Wilmot sent this deponent out on some business at a distance from home, which took up this deponent about three or four hours, and about eight o'clock in the evening of the same day, this deponent returned home, and went immediately to the door of the back drawing-room, wherein her mistress the said Fanny Wilmot usually sat on evenings when she had not company, with an intent to give her said mistress an account of the business she had been sent out upon, but the deponent then found the said drawing-room door fastened ; that this deponent thereupon went down stairs and enquired after her mistress of her fellow-servants, who then informed her that her said mistress was at home, and in the back drawing-room, upon which this deponent said she was not there, for that she had found the door

of

of the said room fastened: That this deponent does not remember she took any more notice of the circumstance, but went into the kitchen and took a cup of tea; and in about ten minutes afterwards the housekeeper came and told the deponent her mistress wanted her, and said she was in the back drawing-room; that this deponent immediately went to her said mistress there, and upon her coming into the room, her said mistress said to her, "Was it you, Barnes, at the door?" and, upon the deponent's informing her it was, she said, had she known it had been her, the deponent, she would have opened the door, but that she thought it to be one of the men, and that her toe had pained her, and that she had taken off her stocking, or she expressed herself to that effect: and farther to the said article she knows not to depose.

To the twenty-fourth article of the said libel, this deponent saith, that she hath frequently seen her mistress, the said Fanny Wilmot, throw papers into the fire and burn them; and this deponent has some recollection, that she saw her said mistress burn some papers a very short time before her said mistress quitted the house of her said husband, on the twenty-fifth day of April last; but more particularly the deponent cannot depose to the said article.

ELIZABETH BARNES.

JUNE 11, 1791.

WILLIAM GARTHWAITE, Butler to **JOHN WILMOT**, Esquire, party in this Cause, at his house in Bedford-Row, in the parish of Saint Andrew, Holborn, in the county of Middlesex; aged about twenty-seven years, a witness produced and sworn.

TO the fifth article of the said libel, this deponent saith, that he, on or about the third day of January last, went to live in the service of John Wilmot, Esquire, party in this cause, at his house in Bedford-Row aforesaid, in the capacity of Butler, and hath continued to live in his service ever since; that from the time this deponent so went to live in his service, until some time on or about the twenty-fifth day of April last, he the said John Wilmot and his wife Fanny Wilmot, the other party in this cause, lived and cohabited together as lawful husband and wife, and they have fix children, to wit, one son and five daughters, who are all now living, and the youngest of them about the age of five years; and they the said John Wilmot and Fanny Wilmot, his wife, upon all occasions, as far as the deponent was a witness, owned and acknowledged themselves to be lawful husband and wife, and for and as such they were and now are commonly accounted, reputed, and taken to be; and he the said John Wilmot, as far as the deponent was a witness, upon all occasions, behaved to and treated his said wife with the greatest tenderness, love, and affection: and farther to the said article he knows not to depose.

To the sixth article of the said libel, this deponent saith, that at the time this deponent went to live in the service of the said John Wilmot, he kept at his said house nine domestic servants, to wit, a butler, a coachman, a footman, an under-footman, a lady's maid or own-woman, an housekeeper, a nursery-maid,

an house-maid, and a kitchen-maid; that at the time this deponent went to live in the family as beforementioned, the articulate Edward Washborn lived as footman therein, and continued so to do until some time in the month of February, one thousand seven hundred and ninety-one, and this deponent understood the said Edward Washborn had lived in the said family about seven years: and farther to the said article he knows not to depose.

To the seventh article of the said libel, this deponent saith, that unless his mistress the said Fanny Wilmot had female visitors, which was very seldom the case, from the time the deponent lived in the family, she used every day to retire from table soon after she had dined, and go into the back drawing-room, where she mostly sat, leaving her husband, the said John Wilmot, with his children, in the dining-parlour. That about a fortnight after this deponent so went to live in the family, he began to remark, that the articulate Edward Washborn used to eat his dinner hastily, and go up stairs to his said mistress in the back drawing-room, under pretence to carry her dog victuals, and he continued such practice until he left the family; and upon those occasions he would stay twenty, thirty, or forty minutes in the room with his said mistress, until his said master was about to leave the dining-parlour, which was known by his ringing the bell, for the deponent to clear the tables; and at such times this deponent has frequently seen the said Edward Washborn come down stairs from his said mistress, either with the coal-box in his hand, or the plate on which he had taken up the dog's victuals as before deposed: And this deponent further saith, that it was the custom of his said master and mistress to breakfast in the dining-parlour, and after breakfast, his master, the said John Wilmot, used generally to go out and not return for some hours; and his mistress the said Fanny Wilmot, used, constantly after breakfast, to retire to the back drawing-room; that it was the business of the said Edward Washborn, as footman, to clear away the breakfast things, and after he had so done, this deponent has frequently

ly observed him to go into the back drawing-room to his said mistress, and stay alone with her near twenty or thirty minutes; and this deponent was the more particular in watching the said Edward Washborn, as he had some suspicions on his mind, that there was too great a familiarity carrying on between him and his said mistress: and further to the said article he knows not to depose.

To the thirteenth article of the said libel, this deponent saith, that after the said Edward Washborn was discharged from the house and service of the said John Wilmot, he used, notwithstanding, frequently, during the months of February, March, and April, in the present year, to come and dine and drink tea at the house of the said John Wilmot, with the servants; and this deponent apprehends, it was chiefly by the invitation of Elizabeth Smith, the said John Wilmot's housekeeper, the said Edward Washborn so came, by reason that the said Elizabeth Smith would, upon those occasions, tell the deponent she had asked the said Edward Washborn to come and dine with them, saying, it must be very dull for him; and this deponent remarked, it was generally in the absence of the said John Wilmot, or when he happened to dine abroad, that the said Edward Washborn so came; and at such times, the said Fanny Wilmot, soon after she retired from the dining-parlour, used to ring her drawing-room bell, which was in general answered by the footman, who, after going to his said mistress, would return and tell the said Elizabeth Smith, her mistress wanted her, who would thereupon go to her, and soon return; and this deponent has then observed her to make private signals to the said Edward Washborn, sometimes by holding up one of her fingers, sometimes by pushing him with her elbow, and sometimes by using particular gestures, and on receiving such private intimations, the said Edward Washborn used to leave the kitchen, or servants' hall, and go up stairs into the back drawing-room, and remain there alone with the said Fanny Wilmot, from twenty to forty minutes; and this deponent can speak the more positively to the foregoing circumstances,

circumstances, by reason that, having strong suspicions that an improper intercourse subsisted between the said Fanny Wilmot and Edward Washborn, he made it his business more particularly to have an eye upon their conduct; and further to the said article he knows not to depose.

To the fourteenth article of the said libel, this deponent saith, that one day, and as he believes on or about the fifteenth of April last, this deponent noticed, that his mistress the said Fanny Wilmot, had been for some time looking from the front windows of the drawing-room into the street, and on a sudden this deponent observed, that she put on her hat and cloak, and went out into the street, pulling the door after her; that this deponent suspecting the business, soon afterwards went out into the street himself, and on the opposite side of the way he saw the said Edward Washborn, but that the said Edward might not suppose he the deponent was upon the look-out, he the deponent asked him where Mr. Wilmot's smith lived, and the said Edward Washborn having informed him, he this deponent immediately left him, pretending he was going to such smith's, but still for some little time kept his eye upon the said Edward Washborn, whom he observed to follow the said Fanny Wilmot, but this deponent did not watch them further, being apprehensive that they might observe him so doing: and further to the said articles he knows not to depose.

To the fifteenth article of the said libel, this deponent saith, that on or about the 25th day of March last, Elizabeth Barnes, own woman to the said Fanny Wilmot, having gone out, returned about eight o'clock in the evening of the same day, and soon afterwards came into the kitchen, and asked the deponent if her mistress, the said Fanny Wilmot, was from home, and upon the deponent's saying No, the said Elizabeth Barnes said, It was very odd, she had been trying to open the back drawing-room door, and found it fastened; that the said deponent took no notice to the said Elizabeth Barnes, but suspecting that the said Edward

Edward Washborn might be locked up with his mistress in the said room, this deponent communicated his suspicion to Samuel Clough, the footman, and desired him to go into the area where he could see every person who went out of or into the house, which the said Samuel Clough accordingly did. That previous to the deponent's speaking to the said Samuel Clough upon the subject, he this deponent had gone into the parlour in order to listen and be on the watch, and had remained there but a very short time, before he heard the back drawing-room door open, and saw his mistress come down stairs, and observing the deponent, she came into the said dining parlour and took up a newspaper, and looked at the same until the deponent left the room and went down stairs into the kitchen. That it was at this time that the deponent communicated his suspicion to the said Samuel Clough, and desired him to watch as beforementioned; while the deponent remained on the listen on the kitchen stair-case, and almost immediately afterwards, this deponent heard his said mistress return up stairs, and presently come down stairs again very softly, and this deponent heard another foot coming down stairs at the same time with her, and both went along the passage, and this deponent then heard the street-door open very gently, upon which he crept up three or four stairs, and saw his said mistress with the door in her hand about a quarter open, and gently shutting the same to, and she then returned, and having opened the back-door to let the dog in, she went up stairs; that this deponent then went down stairs into the kitchen, and having joined the said Samuel Clough, he asked him whom he had seen go out at the street-door, and the said Samuel Clough told him the articulate Edward Washborn; that from the foregoing circumstances, this deponent is firmly persuaded that the said Edward Washborn had been locked up some time with his said mistress, in the back drawing-room, on the evening of the said twenty-fifth day of March, and that it was not known to any of the servants in the family, that the said Edward Washborn was in the house, previous to the said Elizabeth Barnes returning home that evening as beforementioned; and this deponent

ment does verily believe, that the said Edward Washborn was let into the house on that occasion, privately, and by stealth, by the said Fanny Wilmot, in the same manner as he was let out of the same; and this deponent well remembers, that his master the said John Wilmot was from home at the time, having as the deponent now best remembers and believes, an engagement to dine abroad on that day; and further to the said article he knows not to depose.

To the sixteenth article of the said libel, this deponent saith, that on Sunday the tenth day of April last, the said John Wilmot dined abroad, and the said Fanny Wilmot dined at home with Mrs. Pascall, a lady of her acquaintance; that just as the servants had finished their dinner, the drawing-room bell rung, which was answered by the said Samuel Clough, and at the same time that the said Samuel Clough went up stairs to the drawing-room to answer the same, this deponent went up stairs into the dining-room, in order to clear away the things, and as he was going into the room, he saw Mrs. Pascall going out of doors with one of the said John Wilmot's children, to take a walk; that the said Samuel Clough soon returned from the drawing-room, and the deponent immediately asked him what the bell rung for, and the said Samuel Clough said, it was for the said Edward Washborn, (who had on that day dined with them in the kitchen) to go up to his mistress, and presently afterwards this deponent saw the said Edward Washborn go up stairs, and heard his said mistress speaking to him in the drawing-room, the door being open; that in about five minutes afterwards, this deponent went up stairs softly, and observed that the drawing-room door was shut, and he then returned into the dining-parlour, determining to watch the coming down of the said Edward Washborn, and soon afterwards heard a creaking noise in the drawing-room, which he verily believes proceeded from his said mistress and Edward Washborn's being upon the large sofa, which always stood in such room; and from such noise, which continued some minutes, this deponent was induced

to believe, and does believe, that the said Fanny Wilmot and Edward Washborn were then and there committing adultery together; and after they had remained shut up in the drawing-room near thirty minutes, this deponent saw the said Edward Washborn come down stairs from the said drawing-room, and then go down stairs into the kitchen; that this deponent then went up stairs on a pretence to go into the back drawing-room, and met his said mistress on the landing-place, and this deponent observed she was without her hat, her head uncovered, and her hair appeared very much disordered, although at the time of dinner and afterwards, she the said Fanny Wilmot wore a hat, and her hair appeared to be well dressed and powdered: and farther to the said article he knows not to depose.

To the seventeenth article of the said libel, this deponent saith, on Monday the eleventh day of the said month of April, his said mistress asked him if he would like to go to the play the next evening, with his fellow servants, Elizabeth Barnes and Elizabeth Smith, and upon the deponent's saying he should like it very well, if it was convenient to his master, she said that he would be at the House of Commons late that evening; upon the deponent's observing that his master might return and be displeased at not finding him at home, the said Fanny Wilmot said there was no fear of his said master's returning, but if he did she would take care that the deponent should have no anger, or she expressed herself to that effect. That accordingly on the evening of Tuesday the twelfth day of the said month of April, this deponent attended the said Elizabeth Barnes and Elizabeth Smith to the play, but did not stay the play with them, but returned home and went into the stable, where he sent for his fellow witness Samuel Clough, and desired him to watch the motions of his said mistress: and farther to the said article he cannot depose of his own knowledge.

To the eighteenth article of the said libel, this deponent saith, after the discharge of the said Edward Washborn from the said

John

John Wilmot's service in February last, this deponent has several times observed the said Fanny Wilmot to walk out alone unattended by any servant; and farther to the said article he knows not to depose.

To the nineteenth article of the said libel, this deponent saith, that referring to his deposition to the fourteenth article of the said libel, he knows not farther or otherwise to depose to the said nineteenth article.

To the twenty-sixth article of the said libel, this deponent saith, that the said John Wilmot, from the time the deponent lived in his service, was at times absent a great deal from his said house in Bedford-Row; that since the twenty-fifth of April last, his said master hath not, as he believes, lived or cohabited with his said wife; and farther he knows not to depose to the said article.

WILLIAM GARTHWAITE.

JUNE 15, 1791.

WILLIAM TAPSCOTT, Coachman to John Wilmot, Esquire, party in this Cause, at his house in Bedford-row, in the county of Middlesex, aged about thirty-eight years, a witness produced and sworn.

TO the seventh article of the said libel, this deponent saith, that he some time in or about the month of May, one thousand seven hundred and eighty-eight, went to live in the service of John Wilmot, Esquire, in the capacity of coachman, and hath continued to live with him in that capacity ever since, and this deponent by that means came to know him, and also Fanny Wilmot his wife, the other party in this cause; and this deponent saith, that during the latter part of the year one thousand seven hundred and ninety, and the beginning of the present year, it appeared to the deponent, that his mistress, the said Fanny Wilmot, frequently sought opportunities of being alone with her footman, the articulate Edward Washborn, and the deponent was the more induced to notice the conduct of his said mistress to the said Edward Washborn, by reason that, about a twelve-month before that time, whilst the family were at his said master's country-house at Wandsworth in Surry, he one day as he was passing by the breakfast parlour window, there observed that his said mistress, and the said Edward Washborn, were in such parlour, and that the arms of the said Edward Washborn was round his mistress's waist, and upon the deponent's passing the window he observed that the said Edward Washborn immediately dropt his arm; and this deponent further saith, that his said mistress used in town, unless she had ladies to visit her, which was not often the case, to retire from table soon after she had dined, and go into her drawing-room, and at such times the said Edward Washborn, as soon as he had eat his dinner, used to go to his said mistress, and carry her dog its victuals in a plate,

plate, and upon these occasions this deponent has known the said Edward Washborn to remain with his said mistress in the said drawing-room for ten minutes, and sometimes a quarter of an hour together; and this deponent has several times noticed, as soon as his master's bell has rung for the butler to clear the dining-table, that the said Edward Washborn has come running down stairs from his said mistress, in order, as the deponent apprehends, to avoid being seen with her by his said master; and this deponent further saith, that during the latter part of the said year one thousand seven hundred and ninety, and the beginning of the present year, this deponent has also frequently noticed that after breakfast, as soon as his master was gone out, the said Edward Washborn used to go into the room to his said mistress when she has been alone, and this deponent has known them to remain alone together in such room for a quarter of an hour at a time; and further to the said article he knows not to depose.

To the eighteenth article of the said libel, this deponent further saith, that previous to the discharge of the said Edward Washborn from the service of the said John Wilmot, which took place, as he now best remembers and believes, some time in February last, he never knew his said mistress to walk out unattended by some or one of the men servants, but after that event, this deponent has observed his said mistress several times to walk out alone without any servant; and on the twentieth day of April last, this deponent having heard from one of his fellow-servants, that his said mistress was going to walk out, and suspecting she was going to the lodging of the said Edward Washborn, at a house, No. 12, in King-street, Holborn, he, this deponent, determined to watch her, and for that purpose went to a public-house fronting the said street, and about eleven o'clock in the forenoon, he, this deponent, saw his said mistress walk down part of the said street, and go into the said house where the said Edward Washborn then lodged; and in about three quarters of an hour afterwards this deponent saw her come out of the said house, and the said

Edward

Edward Washborn following her to the door, and seeming as if he was speaking to her, and then bowing to her as she left him; and this deponent then saw her go into a child-bed warehouse next door, where she staid about six or seven minutes, and then come out again, and pass by the house from whence the deponent had watched her, and she appeared as if she was walking home, but the deponent, that he might not be observed by her, went a different way and got home before her: and further to the said article he knows not to depose.

To the twenty-sixth article of the said libel, this deponent saith, that his said master, on account of his being a Member of Parliament, and on account of his various other avocations, was, as he apprehends and believes, necessarily absent a great deal from his said house in Bedford-row, during the premises before deposed to: and this deponent further saith, between two and three o'clock in the afternoon of a day in April last, and this deponent well remembers it was on Easter Monday, he, this deponent, took a letter from his master to his fellow-witness, Mr. Scatchard, at No. 12, in King-street, where the said Edward Washborn lodged as aforesaid, and while the deponent was waiting in the passage for an answer, the parlour door was opened by a servant, and this deponent saw his mistress, the said Fanny Wilmot, sitting therein and folding up a letter, and when she had folded up the same, she rose, came out of the said parlour, and passed the deponent and went up stairs, and she appeared in tears and greatly agitated, and this deponent heard her enquire for a porter, and almost immediately afterwards this deponent having received a letter from Mr. Scatchard to his said master, came away; and since that time, this deponent saith, that his said master hath not, to his knowledge or belief, cohabited with his said wife; and further to the said article he knows not to depose.

WILLIAM TAPSCOTT.

ANN

JUNE 15, 1791.

ANN WISDOM, Spinster, Nursery Maid, in the service of John Wilmot, Esquire, at his house in Bedford-row, in the county of Middlesex, aged about thirty years, a witness produced and sworn,

TO the ninth article of the said libel, this deponent faith, that on the twenty-ninth of March, one thousand seven hundred ninety, she went to live in the service of John Wilmot, Esquire, and Fanny Wilmot his wife, parties in this cause, at their house in Bedford-row aforesaid, in the capacity of nursery-maid, and hath continued in the family ever since; that in the evening of a day, a little before Christmas last, the articulate Edward Washborn, complaining that he was somewhat indisposed, came up stairs and retired to his bed-room, the door of which was opposite to the door of the nursery-room, divided by a narrow passage, in order, as the deponent supposed, to lay down: That about nine o'clock the same evening, after the said Edward Washborn had so retired to his room, the children being all in the drawing-room with her said master and mistress, she, the said Fanny Wilmot, left the said drawing-room, and came up stairs into the nursery, and finding the deponent there, she sent her down stairs to her own woman Elizabeth Barnes, who was then in the kitchen, with a message, that she was to go to the mantua-maker's and desire her to come the next morning to measure one of the young ladies for a gown; that this deponent accordingly went down stairs and carried such message to the said Elizabeth Barnes in the kitchen, and returned immediately up stairs, and when she was near the upper flight of stairs, she heard her said mistress in the passage between the nursery and the said Edward Washborn's bed-room, and heard her go into the nursery, where the deponent, when she went in, found her sitting; and upon the deponent's going into the same, the said

said Fanny Wilmot having first asked the deponent if she had delivered her message, got up, and went down stairs, as the deponent believes into the drawing-room; and she, the said Fanny Wilmot, did not then appear or pretend to have any other business in the nursery, or for waiting there, except the sending the deponent down stairs upon such message to the said Elizabeth Barnes, for whom she might have rung the bell in the drawing-room: That from the circumstances before deposed to, and this deponent's over hearing her in the passage as before-mentioned, and returning into the nursery, this deponent then suspected, and does now believe, that her said mistress took the opportunity of the deponent's absence, upon the said message to Elizabeth Barnes, to go, and this deponent believes she actually went, into the bed-room of the said Edward Washborn, where the said Edward Washborn then was; and further to the said article she knows not to depose,

ANN WISDOM.

ANN

JUNE 16, 179.

ANN FRAZER, Spinster, House-Maid, in the service of John Wilmot, Esquire, party in this Cause, at his house in Bedford-row, in the county of Middlesex, aged about twenty-eight years, a witness produced and sworn.

TO the seventh article of the said libel, this deponent saith, that on the twenty-sixth of November last, she went to live in the service of John Wilmot, Esquire, and Fanny Wilmot his wife, parties in this cause, at their house in Bedford-row aforesaid, in the capacity of house-maid, and this deponent hath continued to live in the family ever since: That about two months after she so went to live in the family, she, the deponent, began to notice that her mistress, the said Fanny Wilmot, took every opportunity of being alone with the articulate Edward Washborn, her footman, and the circumstance that induced the deponent to notice the same more particularly, was her having one day about that time gone unexpectedly into the drawing-room, and found her said mistress and the said Edward Washborn alone together, and upon the deponent's going into such room, they appeared both much confused, and her said mistress blushed exceedingly; that from that time this deponent was cautious how she put herself in the way of breaking in upon them when she has known them to be alone in a room together, as her mistress on the before-mentioned occasion seemed very angry with the deponent, and remained so for several days, but she has frequently known them to be alone together in one of the drawing-rooms for twenty, thirty, and forty minutes at a time, and once in particular, some time in the month of January last, as the deponent was cleaning the stove in the front drawing-room, Master Eardley Wilmot, her said master's son, a child about eight years old, came up stairs from his dinner, and his mother, the said Fanny Wilmot, who was then in the back drawing-

D

room,

room, overhearing him, came to the door, and drove him down stairs again, chiding him very much for coming up to her without being sent for; that this deponent immediately suspecting that the said Edward Washborn was with her, went and listened, but happening to cough, this deponent retired to her work, and immediately afterwards the said Edward Washborn came out of the said back drawing-room on tip-toe, and having peeped into the front drawing-room where the deponent affected to appear quite engaged in her work, he, the said Edward Washborn, immediately returned to his said mistress in the back drawing-room, and remained some time alone with her until somebody knocked at the street door, upon which the said Edward Washborn came out, and went down stairs and answered the same; and further to the said article she knows not to depose.

ANN FRAZER.

JANE

JUNE 16, 1791.

JANE SMITH, spinster, kitchen-maid, in the service of JOHN WILMOT, Esquire, party in this cause, at his house in Bedford-Row, in the county of Middlesex, aged about twenty-eight years, a witness produced and sworn.

TO the tenth article of the said libel, this deponent saith, that she went to live in the service of John Wilmot, Esquire, and Fanny Wilmot, his wife, parties in this cause, on or about the twenty-fourth of December last, in the capacity of kitchen-maid; and this deponent hath continued to live in the family ever since. That in the forenoon of a day about three weeks after this deponent went to live in the family, as she was going up stairs and passing the back drawing-room, the door being open, she saw her mistress the said Fanny Wilmot, and the articulate Edward Washborn, who lived as footman in the family, standing by the fire-side, and observed her said mistress lay her hands familiarly and playfully on the said Edward Washborn, and turn him round: and farther she knows not to depose to the said article.

To the thirteenth article of the said libel, this deponent saith, that after the said Edward Washborn was discharged from the house and service of the said John Wilmot, which to the best of the deponent's remembrance and belief, was some time in February last, he used, notwithstanding, frequently to come to the house of her said master, and introduce himself through the servant's passage down the area, and his general pretence was to visit Mrs. Smith, who lived housekeeper in the family, and the said Mrs. Smith used for the most part to keep him to dinner and tea; and after dinner this deponent has several times observed the said Mrs. Smith to make signs to the said Edward Washborn, upon which the said Edward Washborn has immediately

diately gone up stairs, but whether he went into the back drawing-room to the said Fanny Wilmot, this deponent cannot say of her own knowledge; that at other times when the said Edward Washborn has so dined at the house, this deponent has known the said Mrs. Smith to tell the said Edward Washborn, that her said mistress wanted to speak to him about a place, and the said Edward Washborn has immediately gone up stairs, as the deponent apprehended, to her said mistress, and upon such occasions he used to be gone for twenty or thirty minutes, but more particularly the deponent cannot speak, as her business almost entirely confined her to the kitchen: and farther to the said article she knows not to depose.

To the twentieth article of the said libel, this deponent saith, that some time about the beginning of the month of April last, the said Mrs. Smith sent this deponent with a letter to the said Edward Washborn, at his lodgings, at the house of one Mrs. Page, No. 12, King-street, Holborn; and this deponent delivered the same to him, at such house: and farther to the said article she knows not to depose.

JANE SMITH.

HENRY

JUNE 17, 1791.

HENRY HUDSON, Footman to Mr. BAILEY, in Bedford-Square, in the county of Middlesex, aged twenty years, a witness produced and sworn.

TO the seventh article of the said libel, this deponent saith, that he, on or about the twelfth of April, 1790, went to live in the service of John Wilmot, Esquire, and Fanny Wilmot his wife, parties in this cause, in the capacity of under footman; and this deponent continued to live in such service, until some time about the beginning of the present month; that about a fortnight after he went to live in such service, he began to take notice that the articulate Edward Washborn, who lived as upper footman in the family, and his mistress, the said Fanny Wilmot, used to be alone together, in the different sitting-rooms, for a greater length of time than there seemed any sort of occasion for; that it was the custom of his said mistress, unless she had female visitors, which was not often the case, to retire from table soon after she had dined, and go into her drawing-room, leaving the said John Wilmot, her husband, in the dining-parlour; that upon those occasions her bell would ring, which it was the business of the said Edward Washborn to answer, and he constantly answered the same; and this deponent has frequently known him at those times to remain alone with his said mistress in the drawing-room for near half an hour at a time, and generally until his said master was about to leave the parlour, which was known by his ringing for his butler to clear the tables; and then the said Edward Washborn used to hasten down stairs to avoid being seen by his master, as this deponent verily believes; and this deponent farther saith, that he hath many times on going into the back drawing-room, found his said mistress and Edward Washborn alone together, and at such times they would appear hurried, or hastily withdraw from each other: and further to the said article he knows not to depose.

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To the eight article of the said libel, this deponent saith, on an evening on or about the middle of November, 1790, almost immediately after the said Edward Washborn had carried the tea-things up stairs, this deponent followed him with the urn, and as the deponent was ascending the drawing-room stairs, he observed the said Edward Washborn come out of the back drawing-room, and go towards the front drawing-room, and at or near the door thereof his said mistress met him as she was coming out of such room, and threw her arm about his waist, but seeing the deponent upon the stairs, she hastily withdrew her arm, and passed into the back drawing-room: and farther to the said article he knows not to depose.

To the eleventh article of the said libel, this deponent saith, that the said Edward Washborn was discharged the producent's service, some time in the month of February last: and farther he knows not to depose to the said article.

To the thirteenth article of the said libel, this deponent saith, that after the said Edward Washborn was discharged the producent's service as aforesaid, he used, notwithstanding, frequently to come to his house, during the months of February, March, and April last, and by the invitation of Mrs. Smith, the house-keeper, used to stay and dine and drink tea there, unknown, as this deponent verily believes, to his said master; and after dinner this deponent has several times observed the said Mrs. Smith to make signs to the said Edward Washborn, who would thereupon leave the kitchen, and go privately up stairs, as the deponent believes, to his said mistress in the drawing-room; but the deponent cannot speak thereto of his own knowledge, as he never followed to observe him: and farther to the said article he knows not to depose.

To the twenty-sixth article of the said libel, this deponent saith, that a few days after the said Edward Washborn was discharged the producent's service, he informed the deponent, that
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he had taken lodgings at a house, No. 12, King-street, Holborn, and this deponent was twice sent to him at his said lodging by his mistress, the said Fanny Wilmot, once with a parcel and a letter, and another time with a letter, which he was to take to some other person, and this deponent saw him each time at such lodgings; and on Easter Monday last in the evening, this deponent, by his master's order, took a letter to his said mistress at such lodgings, together with her favourite dog, and from that time his said mistress never returned home again, during his stay in the family: and farther to the said article he knows not to depose.

HENRY HUDSON.

PERROT

JUNE 21, 1791.

PERROT FENTON, of Doctors Commons, London, Gentleman, aged forty-four years, a witness produced and sworn.

To the twenty-first article of the said libel, he deposes and says, that in the forenoon of Friday the 15th of April last, he was sent for to the Chambers of Messrs. Wilmot, Dunn, and Lancaster, Solicitors in Lincoln's Inn, and on his going thither the same forenoon, he was introduced to John Wilmot, Esquire, one of the parties in this cause, and consulted as to the measures necessary to be taken on his part, in consequence of his having then recently been informed that Fanny Wilmot, his wife, the other party in this cause, carried on a criminal correspondence with Edward Washborn, a discarded footman, who then lodged at a house, No. 12, in King-street, Holborn; and when the deponent had considered the circumstances of the case, he consulted counsel thereon, and by the advice of counsel this deponent went to the said house in King-street, on Saturday the sixteenth of the same month, and engaged apartments in the said house as for an acquaintance of the deponent's, of the name of Marshall; that such apartments consisted of a dining or front room on the first floor, and a back-room on the second floor of the house; but Mr. Marshall, whom this deponent then intended to place in such lodging, disappointing the deponent, he applied to his fellow-witness Mr. Scatchard, and prevailed on him to occupy the lodgings for the purpose of discovering whether Mrs. Wilmot, party in this cause, really did or did not carry on a criminal correspondence with the said Edward Washborn at the said house, and accordingly Mr. Scatchard took possession of the said lodgings, on Monday the eighteenth day of the said month of April, and occupied the same until Monday the twenty-fifth of the same month; but by reason of the deponent's having men-

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tioned to the gentlewoman of the house and her daughter, Mr. Marshall as the gentleman who was to occupy such lodging; and to avoid suspicion, this deponent was constrained to introduce Mr. Scatchard to them by the name of Marshall, and by that name he was known during great part of the time he remained at the said house, where this deponent very frequently visited him, and at several of such times this deponent had opportunities of viewing, and did view the chamber then occupied by the said Edward Washborn, and other parts of the said house; and this deponent saith, the said chamber is a back room on the first floor of the said house in King-street, and hath therein three slated windows; and this deponent observed, that when the first and third of the said windows were opened, the inside of the said room, or the greater part thereof, might be seen directly or obliquely from the back windows of a house, the front of which is in another street, and from the windows of certain other houses, which appeared to the deponent to be situate in a court, all which windows open into the said area, but the second or middle window of such chamber was not commanded by the windows of any other house, the view therefrom being over some low buildings; that the first window was at the lower end of the room opposite the door, and the third window was at the upper end of the room on the right-hand side of the bed, and opposite to the fire-place, which was on the left-hand side of the bed; and the deponent also observed, that the fastenings on the inside of the door of the said chamber, consisted of a lock and a strong iron bar, and that at the times the said Edward Washborn was visited by the said Mrs. Wilmot, as hereinafter is mentioned, the bar was put up, and the shutters of the first and third windows were closed, but that at all other times when the deponent looked at the said windows, the shutters of the first were open as well as those of the second, but he observed, that the shutters of the third window were sometimes open, and sometimes shut; and this deponent saith, by reason of the circumstances hereinafter set forth, he was induced to believe, and he doth believe, that the said Mrs. Wilmot and Edward Washborn, several times

committed the crime of adultery together in the said bed-chamber; and further he knows not to depose to the said article.

To the twenty-second article of the said libel, he deposes and says, that there were three glazed lights, or small windows, in the wainscot or partition, which separates the aforesaid bed-chamber from the passage or staircase of the house, which appeared to the deponent to have been made for the purpose of throwing light on the said passage and stairs, and by means of such lights or windows the greater part of the inside of the said chamber might be viewed from the stairs leading to the second floor; and this deponent further saith, that in the forenoon of Wednesday the twentieth of April last, this deponent called at the aforesaid house in King-street, to speak with Mr. Scatchard, and finding that he was out, this deponent took up a book, and sat down in his dining-room on the first floor, to wait his return, leaving the door of such room about half open, and whilst the deponent was so waiting, to wit, about twenty minutes before eleven o'clock in the forenoon, he heard a rap at the street door, whereupon a man, whom the deponent afterwards found to be the articulate Edward Washborn, came hastily out of his aforesaid chamber, the door of which was opposite to the door of the said dining-room, and opened on the same landing-place or passage, and the said Edward Washborn passed hastily down stairs, and the deponent then heard the street door opened, and the said Edward Washborn conversing with some person, who answered him in a low voice, and went with him into his said bed-chamber, and then the door thereof was shut, and the deponent heard the bar on the inside thereof put up, and heard it fall into its staple; and while the said persons so remained shut up together, the deponent went up stairs from the first to the second floor, and afterwards returned; and as he so passed and repassed, he saw and observed, through the aforesaid glazed lights in the wainscot, that the shutters of the first and third of the aforesaid sashed windows were closed, and the shutters of the middle sashed window were open, and he found that the lower end and middle

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part of the room, and almost the whole thereof, might be viewed from the stairs, excepting the corner or nook on the left-hand side of the bed, between that and the fire-place, and there were then two empty chairs standing opposite to one another near the middle of the room, and the bed-curtain on the left-hand side next the fire-place was partly drawn, and this deponent not being able to see either of the said persons in the said room, did conclude, and doth verily believe, that they had retired together into the said nook or corner, and from the views which he has since taken of the said bed-chamber, this deponent is convinced that both the persons in the said room were together in the said nook or corner at the times when the deponent so passed up and down stairs aforesaid: And he further saith, after the said persons had been so, as aforesaid, shut up together about forty minutes, Mr. Scatchard returned home, and into the dining-room where the deponent then was, and he then informed the said Mr. Scatchard of the aforesaid parties being shut up together; and when he, Mr. Scatchard, had used his endeavours to discover them, the deponent took his leave, and was coming away, and when he opened the door for that purpose, he saw the said Edward Washborn and a lady, whom he afterwards discovered to be the articulate Fanny Wilmot, coming out of the said Edward Washborn's chamber, and they passed so hastily down stairs before the deponent, that the lady was let out at the street door, and Edward Washborn returned to the foot of the stairs, by the time the deponent got thither; and when the deponent got into the street, the lady was out of sight: and further he knows not to depose to the said article; save that about an hour after he had followed such lady down stairs, he saw the said lady come out of Mr. Wilmot's house in Bedford-row, and walk to the house of his father, Sir Eardly Wilmot, in Great Ormond-street, and go into that house.

To the twenty-third article of the said libel, this deponent saith, that between the hours of ten and eleven in the forenoon of Saturday the twenty-third day of April last, this deponent

again called on Mr. Scatchard, in King-street afore said, and he informed the deponent, that this lady was just come to the house, and was then in the next room with the said Edward Washborn, and presently after the said Thomas Scatchard had communicated such information, the deponent left the said house, and went to Mr. Wilmot, who was then waiting in the neighbourhood, and consulted him as to the adviseableness of breaking into the room wherein the said Fanny Wilmot and Edward Washborn were shut up, and the deponent soon afterwards quitted Mr. Wilmot, and returned to the afore said house, No. 12, King-street, and therein saw his fellow-witness, Mr. Scatchard, standing on the ballustrade of the staircase, and looking through the afore said lights or little windows, into the afore said bed-chamber, and Mr. Scatchard informed the deponent, that the said Edward Washborn and the lady were in the nook or corner, between the bed and the fire-place, and that the bed-curtains not being drawn forward, he had been able to observe the motions of the said parties; that the lady had been crying, and that the said Edward Washborn had been soothing and caressing her; and the deponent then took the place of his fellow witness, and observed that the shutters of the afore said first and third sashed windows of the bed-room were closed, and he found that the persons whom he now knows to be the articulate Fanny Wilmot and Edward Washborn, were retired into the afore said nook or corner near the fire-place, and their persons could not be seen from the situation the deponent was then in, but on looking at the looking-glass which hung against the pier, between the second and third sashed windows, this deponent therein saw, by the reflection, the heads of the said Fanny Wilmot and the said Edward Washborn, that he is convinced they were then sitting close together on the left-side of the bed, and they were kissing together, and presently afterwards the said Edward Washborn appeared to sink or kneel before the said Fanny Wilmot, and the reflection of her head only remained visible to the deponent on the looking-glass, by reason that the same was so hung, as not to reflect the lower part of the bodies of the said parties, and then the deponent

ment observed the tester of the bed and the curtains to be agitated or shaken; and by means of the said looking-glass, he observed the head of the said Fanny Wilmot in motion; and from all the circumstances which then came under his observation, he did at the time believe, that the said Fanny Wilmot then sat on the side of the bed, that the said Edward Washborn knelt before her, and that they then and there committed adultery together; and this deponent saith, that nothing has since occurred to him to alter such his belief, but that he still preserves the same: and he also saith, that after he had for some time viewed the premises, he gave place to his fellow-witness, Thomas Scatchard, who took another view, and then expressed the like opinion to the deponent: and he further saith, that after the said Fanny Wilmot and Edward Washborn had remained together about an hour, or an hour and an half, according to the best of the deponent's recollection as to the time, Mr. Scatchard went out of the house into the street, to watch the said Fanny Wilmot on her return from thence, and the deponent remained therein, and by means of the lights in the partition, he soon afterwards saw the said Fanny Wilmot and Edward Washborn standing together, near the middle of the said chamber, with their hands joined, and they were in very earnest discourse, and appeared to be greatly agitated, and frequently lifted their joined hands up towards Heaven, and seemed to the deponent to be plighting vows to each other; and after they for some time remained thus, they passed towards the door of the chamber, and the deponent retired up stairs to the landing-place on the second-floor, and then heard the said Fanny Wilmot and Edward Washborn, or one of them, undo the fastenings on the inside of the chamber-door, and come out therefrom, and heard the said Fanny Wilmot say something in a low tone of voice, which appeared to the deponent to be a suggestion that there was some person watching them, for the deponent heard the said Edward Washborn come forward, and step up two or three of the second flight of stairs, and then return towards the said Fanny Wilmot, and say, " Oh no, there is not!" and this deponent then

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looking over the ballustrades of the stair-case, which is a well stair-case, saw the said Edward Washborn going down stairs, and the said Fanny Wilmot following him; and the deponent presently heard the street door of the house shut to, and then saw the said Edward Washborn pass up stairs, from the ground to the first floor, and go into his chamber, and then the deponent passed from the second to the first floor, and as he passed down stairs he observed the said Edward Washborn opening the shutters of the first sashed window in his chamber: and further to the said article he knows not to depose.

To the twenty-fifth and twenty-sixth articles of the said libel, this deponent saith, that in the morning of Monday the twenty-fifth day of April last, this deponent breakfasted with Mr. Scatchard, at his afore said lodgings, in King-street; and while they sat at breakfast together, with the dining room door a little opened, they heard a rapping at the street door, and thereupon heard the articulate Edward Washborn open his chamber-door, and run down stairs, towards the street door, and they heard the same opened, and then heard the said Edward Washborn return up stairs, conversing with a woman, who accompanied him into his chamber, and the deponent then heard one of the said persons fasten the door of the said chamber on the inside: And it having been previously determined, between Mr. Wilmot and the deponent, that the correspondence between Mrs. Wilmot and Edward Washborn should be exposed that morning, this deponent then went to Mr. Wilmot, at a house in the neighbourhood, and left his said fellow witness to make such discoveries as he was able, and, in about half an hour afterwards, according to the best of the deponent's recollection, as to the time, he returned to the said house in King-street, taking with him Mr. Wilmot, whom he introduced to the gentlewoman of the house, in a parlour on the ground floor; and, after staying some time below stairs, and endeavouring to calm the agitation of Mr. Wilmot, and do away the surprize and apprehension of the people of the house, the deponent went up stairs, and, on
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the first flight, he observed Mr. Scatchard looking through certain holes which he had made in the wainscot, and which, as the deponent afterwards found, commanded a view of the nook, or corner, between the bed and fire-place, hereinbefore particularly mentioned; and the deponent passed the said Mr. Scatchard, and went on the second flight of stairs, and from thence looked into the said chamber, through the lights in the wainscot, hereinbefore noticed, and observed that the shutters of the first and third sash windows were closed, and that the said Fanny Wilmot and Edward Washborn were standing together between the bed and the fire-place; and soon afterwards the deponent heard the bar let down on the inside of the door of the chamber, and the lock thereof turned, and saw the door opened, and Edward Washborn come out, warily drawing the door to after him; that the deponent advanced to him, and gave him a letter addressed to Mrs. Wilmot, and ordered him to deliver it to Mrs. Wilmot, whereupon he appeared surprized and confounded; but on this deponent's saying he knew Mrs. Wilmot was in the room, he, the said Edward Washborn, withdrew therein with the letter, and again fastened the door on the inside; and the deponent says, the letter now deposed of, was written by Mr. Wilmot, informing her of his having discovered her infidelity, and insisting that she should not return to his house, recommending it to her to advise with her friends, promising to send her linen, and wearing apparel, and to furnish her with money occasionally, that, when the letter was delivered, Mr. Wilmot went up stairs to the dining-room, and expressed, to this deponent, great apprehension for the personal safety of the said Fanny Wilmot; and lest the shame of the discovery should be too much for her, and at his request, the deponent looked into the chamber, through the lights in the partition, and saw the said Fanny Wilmot and Edward Washborn standing near the middle of the room, consulting together, and soon afterwards the said Fanny Wilmot came out of the chamber, and was accosted by her husband, who led her into the opposite dining-room, where such a scene ensued between them as made the deponent very apprehensive that

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the said John Wilmot would be overpowered by the poignancy of his feelings, more especially as the deponent knew that he was not in a good state of health; and while the said John Wilmot and Fanny Wilmot were so conversing together, this deponent, and his said fellow witness, went into the aforesaid chamber, and observed that the bed therein was greatly tumbled; that at length the said Mr. Wilmot and the deponent withdrew from the said house, and in the afternoon of the same day this deponent again saw and conversed with the said Fanny Wilmot, at the same house, and about nine o'clock in the evening of the same day he again saw and conversed with her, in the said Edward Washborn's aforesaid chamber, and the said Edward Washborn was then also therein; and the said Fanny Wilmot then informed the deponent she intended to sleep that night at the said house in King street, and the deponent was afterwards informed, and believes, she did remain at the said house until the next morning. And this deponent saith, that he is well assured the said John Wilmot is a Member of Parliament, a Master in Chancery, and a Commissioner of American Claims; and that his various avocations must necessarily have occasioned him to be absent a great deal from his house in Bedford-row: and further to the said articles he knows not to depose.

To the twenty-seventh article of the said libel this deponent saith, that about noon on the aforesaid Monday, the twenty-fifth of April last, the said John Wilmot caused the trunks and boxes of the said Edward Washborn, at his apartments in King-street, to be searched by a man, whom the deponent believes to be a peace-officer, named M^cManus, in the presence of him the said John Wilmot, the said Fanny Wilmot his wife, the said Edward Washborn, this deponent, and his fellow witness Thomas Scatchard; and that in the said trunks, or boxes, there were then and there found a parcel of guineas wrapped up in paper, and a large assortment of fashionable and new cloaths, but no letters; and, on being questioned by this deponent, the said Edward Washborn, in the presence and hearing of the said

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Fanny Wilmot, acknowledged that he had received many letters from her, and that he had burnt them on the preceding day. And the said Fanny Wilmot, on being questioned by her said husband, acknowledged that she had written and sent such letters to the said Edward Washborn; and the deponent also saith, there were then and there found, in the said trunks, or boxes, divers prints and drawings, which the said Fanny Wilmot and Edward Washborn then acknowledged had belonged to her, and that she had given the same to him; and also a shirt pin, set with hair, which was wrapped in silver paper, and appeared to the deponent to be quite new; an elegant fancy gold ring, set with hair, a box with curious shells, a nutmeg-grater in the shape of a heart, a pocket-book, an ink-stand, two riding-whips, a straw box, and a bottle of sweet water with a label bearing the inscription of "Eau de Cologne," and various other articles, all which the said Fanny Wilmot, and Edward Washborn, then acknowledged had been by her lately presented, or given to him; and she the said Fanny Wilmot did then and there confess and acknowledge, that the hair which appeared set in the head of the aforesaid shirt-pin was part of her own hair; and further to the said article he knows not to depose.

To the 11th interrogatory, in behalf of Fanny Wilmot, he answers, that between the 15th and 25th of April last, while the producent was in great distress of mind, on account of his wife's infidelity, and the necessity there was for preserving appearances, until he could obtain sufficient evidence of her guilt, he informed the respondent of his having been applied to give a character of the said Edward Washborn to Colonel Popham, and several times mentioned to the respondent the embarrassment he laboured under on that account; and the respondent advised the producent to give such character, and urged the necessity of so doing; and the producent afterwards informed the respondent that he had given such character to Colonel Popham about the time aforesaid, and the respondent has heard, and believes, that the said Edward Washborn was, by appointment, to go, and did go, to his place,

at the said Colonel Popham's, late in the evening of the twenty-fifth of April last.

The same witness on additional Interrogatories.

To the first additional interrogatory, the witness being admonished as directed, answers, that in consequence of a letter from Thomas Dunn, Esquire, of Lincoln's-Inn, which was received by this respondent in the forenoon of Friday the fifteenth of April last, he this respondent presently afterwards went to him at Lincoln's-Inn, and there met the producent; that Mr. Dunn then acquainted the respondent with the circumstances of the producent's case, and that his counsel, Dr. Nicholl, had advised that the respondent should be consulted thereon; that the respondent having considered the business, advised Mr. Dunn to procure some person to be placed as a lodger in the house, wherein the said Edward Washborn lodged, in order to effect a discovery, that the respondent afterwards consulted Dr. Nicholl thereon, and finding that the business required more address than the respondent expected to meet with, in any person whom he could employ, he did, at the pressing instance of Mr. Dunn, undertake the business himself. That the respondent found the house wherein the said Edward Washborn lodged, was not a common lodging-house, and that it was kept by Mrs. Page, a woman who bore a good character in her neighbourhood; that having obtained an introduction to Mrs. Page, the respondent prevailed on her to give up to him the dining-room, or front-room on the first floor, and a bedchamber on the second floor, to be occupied by a friend, whom the respondent told her he expected from the country on an emergency; that the said apartments were furnished and hired by the respondent, for one week certain, and for such further time as the same might be wanted, at the rate of one guinea per week; that the respondent paid for the same, and was repaid by the aforesaid Mr. Dunn; that he has not yet been paid for his loss of time and trouble: that this respondent is at a loss how to define precisely his motive and

and inducement for taking the part which he did in the business, but says the same arose from a desire to oblige and serve his employers, and an endeavour to relieve the producent from the distress of mind under which he laboured; that if the respondent were to say that he was impelled to act as he did chiefly from benevolent motives, he apprehends he might be laughed at by the framers of this interrogatory, on account of such motives being, it would seem, incompatible with their ideas, and therefore he will content himself with saying, his motive was not the sordid one meant, as he supposes, to be enquired after by this interrogatory; and this respondent further answering, saith, that he went to the said lodging on Saturday the 16th, Sunday the 17th, Monday the 18th, Tuesday the 19th, Wednesday the 20th, Thursday the 21st, Friday the 22d, Saturday the 23d, and Monday the 25th days of the said month of April; and he went thither once or twice after the last mentioned day; but further he cannot specify as required by the said interrogatory, save that he never slept at such lodgings.

To the second additional interrogatory, the respondent answers, that the house of the said Mrs. Page contained two rooms on each floor; that the articulate Edward Washborn lodged in the back-room on the first floor; that there were three outward fashioned windows in the said room, and three internal windows in the wainscot, which parted the room from the passage and stair-case, that the windows in the room were so placed, that, as the respondent believes, upon the shutters of the first and third fashioned windows being shut, persons could not from any window in any one of the contiguous houses see into the said room, or what was passing therein: and further he doth not answer.

To the third additional interrogatory, he answers, there were two looking-glasses in the room, wherein the said Edward Washborn lodged, that the same were hung or placed against the two piers between the windows; that the respondent did not measure either of the glasses, and therefore cannot set forth the size there-

of, but saith, one was a middle-sized pier-glass, and the other was smaller, and that by means of the internal windows hereinbefore noticed, and the said looking-glasses, every part of the said room, excepting the fire-place and hearth, and some part of the room near thereunto, particularly some part of the flooring; and also that every person in the said room might be reviewed from the second flight of stairs, excepting only that the lower part of the bodies of such persons as were standing or sitting between the bed and the fire-place, could not be reviewed, and that there were other parts of the said nook which did not appear to the respondent to be reflected by the said looking-glasses, and he therefore believes, that persons being in such unreflected parts could not be seen from the stair-case: and further he doth not answer.

To the fourth additional interrogatory, he answers, that the room in which the said Edward Washborn lodged as aforesaid, was separated from the passage and stair-case by a wainscot partition, not thin, but remarkably thick, and composed of many pannels, and the joinings or seams thereof were covered with strong mouldings on the inside, which this respondent particularly noticed, because, for some time, he had it in contemplation to force the door, or some of the pannels, and break into the room with the producent, while the ministrant and Edward Washborn remained shut up together therein. That this respondent could, and did see some part, but not the whole of what passed in the said room, by means of those two internal windows, which were in that part of the wainscot, which parted the room from the stairs, one of which was composed of two large squares or panes of glass, and the other of two or three, according to the best of the respondent's recollection; and he believes the bottom of one of such windows might be about six feet, and the bottom of the other about five feet from the flooring of the room; that the other, or third flight, was placed over the door of the room, and was composed of three or four panes of glass; that the respondent looked through the said lights

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from the second flight of stairs: that the respondent is at a loss to understand the question, as to "How he looked through the said lights," or to answer thereto, otherwise than hereinbefore set forth. That as to "when he looked," he answers, that he looked through the said lights almost every day during the time herein beforementioned. That as to "what he saw or heard pass in the room," he answers, that on Wednesday the twentieth of April last, whilst the aforesaid Fanny Wilmot and Edward Washborn were shut up together in the said room, this respondent heard them conversing together, in a low murmuring tone of voice, and he also heard the bar or fastenings applied to the inside of the door, soon after they went into the said room. That on Saturday the twenty-third day of the said month of April, this respondent saw the reflection of the heads of the said Fanny Wilmot and Edward Washborn, face to face, and afterwards saw the reflection of her head in motion, and he also observed a tremulous motion in the tester and curtains of the bed, and after that he saw the said Fanny Wilmot, and Edward Washborn, standing hand in hand together, and heard them conversing together in an earnest and agitated manner, and then heard the door unfastened; and after the said Fanny Wilmot was gone, the respondent saw the said Edward Washborn opening the shutters of the first sashed window, which had been shut while the said Fanny Wilmot was with him. That on Monday the twenty-fifth of April last, the respondent heard the said Fanny Wilmot and Edward Washborn go together into the said chamber, and then heard the door fastened, and afterwards he saw the reflection in one of the glasses, of the said Fanny Wilmot and Edward Washborn standing together by the fire-place, and he heard them walk towards the door, and heard one of them undo the fastenings on the inside of the door, and saw the said Edward Washborn come out cautiously and peeringly, and after that he saw the said Fanny Wilmot and Edward Washborn standing together in the said room in conversation; and the respondent further answering, saith, that on or about Thursday the twenty-first of the said month of April, this respondent

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bored an hole through the wainscot of the said room with a gimblet, but found the same too small to answer his purpose, and he therefore afterwards furnished his fellow witness, Thomas Scatchard, with gimblets of all the sizes the respondent could meet with at an ironmonger's, with some or one of which the respondent believes the said Thomas Scatchard did, on Sunday the twenty-fourth day of the said month of April, make three or four holes in different parts of the wainscot of the said room, by means of which the respondent afterwards found the whole of the nook or corner to which the aforesaid parties used to retire, might be fully viewed; but the respondent saith, from an apprehension of being called on as a witness, and believing the aforesaid Thomas Scatchard would be fully competent to the proving adultery between the parties, he the respondent felt himself himself averse to looking through the holes, while he supposed the aforesaid parties were committing adultery together; but at length on being strongly urged by his fellow witness, the respondent did for a moment look through one of the holes, just before Edward Washborn opened the door, but the said Fanny Wilmot was then standing so close to the wainscot, that this respondent could not see any thing but her gown; and further or otherwise this respondent knows not to answer to this interrogatory.

To the fifth additional interrogatory, he knows not that he ever saw the ministrant and the said Edward Washborn lying down together on the bed in the said room; and he cannot take upon himself to depose positively to an act of adultery between them; but the respondent was witness to so many approximate acts, that he has not any doubts in his mind, but that they did frequently commit adultery together; and farther he doth not answer.

To the sixth additional interrogatory, he answers, that the ministrant called on the said Edward Washborn at his said lodgings, on the twenty-fifth day of April last, in the forenoon, and the respondent soon afterwards went to the producent, and the

the respondent took him to the house of the said Mrs. Page, about half an hour afterwards, as he now best recollects as to the time; that when the ministrant was leaving the chamber of the said Edward Washborn, in order, as he believes, to return home, the respondent stepped up to her and introduced her to her husband, who was at his elbow: that the ministrant did then, as appeared to the respondent, affect to appear surpris'd at the producent's charging her with adultery, repeatedly assured him he was mistaken, and solemnly declared she was entirely innocent of that crime, and earnestly solicited that her oath might in the most solemn manner be taken, as to her being innocent of the same; and the said Edward Washborn forced himself into the company, and made the like declarations, and offer to take his oath to the same purport; and they both contended that the producent ought to be satisfied with such their oaths, and the respondent had no doubt but that they would have taken their oaths accordingly; but the respondent considered such their conduct to be part of a plan concerted between them, after the ministrant had read the letter which the respondent delivered to the said Edward Washborn, as hereinbeforementioned, and the respondent considered the intrusion of the said Edward Washborn so improper, that he repeatedly drove him from the presence of the producent: that the ministrant at first urged there was nothing improper in her conduct, and after the producent had stated to her the circumstances which he could adduce in evidence against her, she desired that she might be allowed to clear herself on oath, and then that her indiscretions might be forgiven; and she particularly desired the producent would not mention the matter to his father and family; and the respondent further answering, saith, after the ministrant had drawn from the producent an account of the several charges which he had to make against her, she asked whether the respondent and his fellow witness, Thomas Scatchard, would take upon themselves to swear, that they had seen an absolute act of adultery, and on being answered in the negative, she addressed herself to the respondent, and said she observed that the producent acted under his opinion, and desired to argue the case with him; and she then

then contended, as the producent could not prove a positive fact of adultery, he could not avail himself of the circumstances or the case, so as to obtain a divorce, that in reply to the ministrant's arguments, this respondent did assure her, that he considered the circumstance of the case to be so very strong, that adultery must be presumed against her; and the respondent saith, he made such declaration, not with an intent to wound the mind of the ministrant, but solely for the purpose of convincing her, that she ought to acquiesce in the producent's requisition, to retire from him to some of her own friends, until the case could be investigated; and further answering, he saith, if he were to set forth all that was said by himself and the other persons who were then present, as required by the interrogatory, he would be obliged to set forth the arguments he used, and the difficulty he had to prevail on the ministrant to employ Messrs. Gostling, as her proctors, and otherwise to trouble the court with much impertinence; and farther he doth not answer.

To the seventh additional interrogatory, he answers, that about noon, or early in the afternoon of the aforesaid twenty-fifth day of April last, he again went to Mrs. Page's said house, while the producent was gone to the Public-Office in Bow-street, to obtain a search-warrant, and he sat down with Mrs. Page in the parlour, who shewed him a letter then lying on a table, and informed him, that the ministrant had desired it might be delivered to the producent, and the respondent said he would deliver it, and he put the same into his pocket for that purpose; and afterwards the ministrant came into the parlour, and desired him to give her the letter; and he begged to be excused from so doing, because he then supposed it might be necessary to use such letter for the purpose of proving the identity of the ministrant, and he therefore retained such letter until he saw the producent, to whom it was addressed, and to whom he delivered the same; and farther he doth not answer.

To the eighth additional interrogatory, the respondent answers, that no degree of blame was ever imputed to the ministrant at
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he knows of, for remaining at Mrs. Page's house, during the time enquired after by the interrogatory; that in drawing the libel admitted in this cause, the respondent inserted the circumstances as a probable means of proving the identity of the minis-
trant: that he supposes Miss Page to be about twenty-one years of age, and believes her to be a very discreet young woman; and further he answers to the said interrogatory, according to the best of his knowledge and belief, in the affirmative.

To the ninth additional interrogatory, he answers, that about nine, or between nine and ten o'clock in the evening of the said twenty-fifth of April, he saw the said Edward Washborn remove his boxes from his lodging at Mrs. Page's house; and he was informed, that he the said Edward Washborn then took them away with him in a hackney-coach, and went to his place at Colonel Popham's; and further to the said interrogatory he knows not to answer, save as hereinbefore is set forth.

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THOMAS SCATCHARD, of Wardrobe-Place, Doctor's Commons, London, Gentleman, aged twenty-nine years, a witness produced and sworn.

TO the twenty-first article of the said libel this deponent saith, that about four o'clock in the afternoon of Monday the eighteenth day of April last, his fellow witness, Mr. Fenton, applied to him, and informed him that John Wilmot, Esq. party in this cause, whom this deponent had long personally known by his being a Master in Chancery, had great reason to suspect that Fanny Wilmot, his wife, the other party in this cause, was carrying on an adulterous correspondence with a footman, who had lately lived in his family, at the lodgings of such footman, at a house, No. 12, King-street, Holborn; that he, Mr. Fenton, had procured lodgings in the said house, as for a gentleman of the name of Marshall, and that he wanted some person he could confide in to occupy such lodgings, for the purpose of discovering if such correspondence did actually exist; that this deponent consented to engage in the business; and about seven o'clock in the evening of the same day, he, this deponent, in the name of Marshall, took possession of such lodgings, consisting of a dining-room, or front room, on the first floor, and a back-room, as a bed-chamber, on the second floor; and he, this deponent, continued to occupy such lodgings until Monday the twenty-fifth of the same month; that the lodging, the footman abovementioned, the articulate Edward Washborn occupied in the said house, was the back bed-room, on the first floor of the said house, and had three faded windows therein; and this deponent observed, that when the shutters of the first and third of the said windows were opened, the inside of the said room might be seen and viewed from the back windows of certain houses which open to the same area, but that the second or middle window was not commanded by the windows of any other house, the view therefrom being over certain low buildings: And this deponent saith,

that during the time he occupied such lodgings as aforesaid, Edward Washborn was several times visited by the said Fanny Wilmot, as hereinafter is more particularly set forth, and on such occasions used to remain shut up alone with him in his said bed-room for considerable spaces of time; and at such times this deponent observed, that the shutters of the said first and third windows were always shut, but at all other times, in the day time, when this deponent looked at the same, he found that the shutters of the first window were open; but, to the best of the deponent's recollection, the shutters of the third window were, at the times he observed the same, most generally shut: And this deponent saith, from the circumstances hereinafter more particularly deposed to, he doth verily, and in his conscience believe, the said Fanny Wilmot and Edward Washborn there committed adultery together.

To the twenty-second article of the said libel, this deponent saith, that in the wainscot or partition which parted the aforesaid bed-chamber of the said Edward Washborn from the passage or staircase of the said house, there were three several glazed lights or small windows made, as the deponent apprehends, for the purpose of throwing light on the said passage and stairs: That on Wednesday the twentieth of April last, this deponent having gone out very early in the morning from such lodgings, returned to the same a little after eleven o'clock in the forenoon, and there found his fellow-witness, Perrot Fenton, who informed him, that the said Fanny Wilmot and Edward Washborn were then together in his the said Edward Washborn's bed-room, and had been so for some time; that this deponent thereupon went and looked through the aforesaid glazed lights in in the wainscot, into the room of the said Edward Washborn, and observed that the shutters of the first and third of the aforesaid sashed windows were closed, and that the shutters of the middle sashed window were left open as usual; that through such glazed lights, and by the help of the looking-glasses which hung between the middle piers of the windows of such room, this de-

ponent was able to see the whole of the aforesaid room, excepting a nook or corner of the said room, between the bed and fire-place therein, which he was prevented seeing, from the situation of the bed, and the curtain being partly drawn on the left-hand side of the bed; that this deponent plainly observed the said curtain to move or shake; from which circumstance, and from not seeing either of the said parties in such room, he was convinced, and doth believe, they had retired into such nook or corner behind the said curtain; that after the deponent had looked into the said room for a few minutes, he returned into the dining-room to his fellow-witness, the said Perrot Fenton, who was just going to leave the room, when they heard the aforesaid two parties on the landing-place, and going down stairs, and his fellow-witness, the said Perrot Fenton, immediately followed them; that this deponent looked through one of the dining-room windows, and saw the said Edward Washborn at the door in the street; but the said Edward Washborn looking up, this deponent immediately retired therefrom, and presently afterwards this deponent heard the said Edward Washborn come up stairs, and saw him go into his said room: and referring to what he hath before deposed, he knows not further to depose to the said article.

To the twenty-third article of the said libel, this deponent saith, that on Saturday the twenty-third day of April last, about twenty minutes after ten in the forenoon, this deponent being in the dining-room aforesaid, with the door partly open, heard a particular rap at the street-door of the said house, and this deponent heard the said Edward Washborn immediately open his door, and go down stairs, and upon the said stairs he was met by a lady, whom the deponent now knows to be the articulate Fanny Wilmot, party in this cause, and he, and such lady, came up stairs together, and this deponent saw them both go into his, the said Edward Washborn's bed-room, and then heard the said door fastened within; that this deponent soon afterwards went and looked through the glazed lights before-mentioned upon the stairs, and observed that the shutters of the aforesaid first
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and third fashed windows were shut or closed, but that the shutters of the middle fashed window were open; that the said Edward Washborn and such lady stood for some little time in the middle of the room, so as very plainly to be seen by the deponent; that this deponent hearing a knock at the street door, for some minutes withdrew from his situation, but finding that it was his fellow-witness, Perrot Fenton, he returned thereto, and found that the said Edward Washborn, and such lady, had retired in the aforesaid nook or corner, which was between the bed and fire-place as before deposed, and this deponent was again for some time prevented from seeing them by means of the curtain of the bed being partly drawn on the left-hand side thereof, but he plainly saw the said curtain to shake; that having looked for some time, he gave place to his fellow-witness, Perrot Fenton, who also looked for some time, and then gave place to the deponent, who, on looking again into the said room, did, by the help of the looking-glass which hung against the pier between the second and third windows, observe that the said Edward Washborn and such lady had come more forward into the room, and this deponent saw them embrace and kiss each other several times, and then saw the said Edward Washborn sink down before such lady, out of this deponent's sight; that by this time they had been about forty minutes together in the said room, and this deponent apprehending that such lady might be about to leave the same, he left the house for the purpose of watching her home, that he might identify her person; and this deponent saith, from the circumstance of the said Edward Washborn and such lady's retiring to the nook or corner as before-mentioned, and his observing the curtain soon after to shake or move as aforesaid, he doth believe that they then and there had the carnal use and knowledge of each other bodies: That after this deponent had watched about half an hour, he saw the said Edward Washborn come out at the street-door of the said house, and look up and down the street, and when he had so done, he returned in, and immediately afterwards the aforesaid lady came out of the said house, walked up the street towards Red Lion-Square,

Square, and the deponent followed her, and saw her go into a milliner's or haberdasher's shop, in an adjoining street, where she staid a few minutes, and then came out again, crossed Red Lion-Square, went through Princes-street into Bedford-row, to which place the deponent followed her, and he then saw her knock at the door of a house, No. 12, in Bedford-row, and go into the same, and such house the deponent well knew to be the dwelling-house of John Wilmot, Esquire, party in this cause: and further he knows not to depose to the said article.

To the twenty-fifth article of the said libel, this deponent saith, that in order to obtain a perfect view of the before-mentioned nook or corner between the bed and fire-place in the room of the said Edward Washborn, he, this deponent, in the forenoon of Sunday the twenty-fourth day of the said month of April, during the time the said Edward Washborn was out, made three different holes in the wainscot of the said room, by means of which, and the before-mentioned glazed lights on the staircase, he was enabled to view every part of the said room, which said holes this deponent afterwards stopped with soft putty, to prevent the same being observed: That on the morning of the following day, being Monday the twenty-fifth day of the said month of April, he, this deponent, and his fellow-witness, Perrot Fenton, being in the dining-room of the said house together, they heard a particular rap at the street-door, and the said Edward Washborn being in his said bed-room, immediately came out of the same and went down stairs, and this deponent heard the street-door open and shut, and the said Edward Washborn return up stairs with another person, whom this deponent, just as they had got to the top of the stairs, observed to be the before-mentioned lady, the door of the dining-room being partly open, and this deponent saw the said Edward Washborn and such lady go into his the said Edward Washborn's bed-chamber, and shut the door after them, and this deponent heard the door fastened on the inside thereof; that this deponent then went and looked into the said room through the
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glazed lights in the wainscot as before set forth, and observed that the shutters of the aforesaid first and third sashed windows therein were closed, and that the shutters of the middle sashed window were left open as usual: That the deponent did not see either of the said parties, but observing the bed curtains next the fire-place to shake, he was convinced they had retired into the nook or corner before-mentioned; that this deponent was for about a quarter of an hour or more prevented from looking further, on account of some of the family passing and repassing: that a little before that time, his fellow-witness, Perrot Fenton, had gone out, for the purpose, as he said, of fetching Mr. Wilmot the producent; and just as the deponent was preparing to open the holes he had made in the wainscot as aforesaid, he heard a rap at the street-door, and instantly afterwards he heard the door of the said Edward Washborn's room unfastened, whereupon the deponent retired, but not so far but that the deponent was able to see the said Edward Washborn come out of his said room, and look down stairs, as the deponent apprehends, to observe who came in, but the persons so coming in, going into the parlour on the ground-floor, the said Edward Washborn returned into his room, shut the door after him, and this deponent then again heard the door fastened on the inside: that shortly afterwards this deponent's fellow-witness, Perrot Fenton, came up stairs to the deponent, and informed him that Mr. Wilmot was below in the parlour, and that he had apprized the family of the business; that this deponent then opened the holes he had made in the wainscot as aforesaid, and by means thereof very plainly saw the said Edward Washborn and such lady standing together between the bed and fire-place, and apparently in conversation; that presently afterwards this deponent saw them sit down on the bed-side close to each other, and the said Edward Washborn took the said lady by the left hand and kissed the same, and when he had so done, he stooped a little, and with his right hand pulled up her petticoats above her knees, so that the deponent could plainly see her naked thighs; that he then stooped and kissed her naked thigh once or twice, and having so done,

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this deponent saw him put his right-hand up her petticoats, which she seemed rather to resist; that they soon got up, and stood face to face, and this deponent observed that the flap of the said Edward Washborn's breeches was unbuttoned; that the said Edward Washborn again put one of his hands up the petticoats of such lady, and his other hand round her waist, she making some little resistance, and standing cross-legged; that having stood for some little time in this situation, the said lady appeared to be moving as if she were about to go away, whereupon this deponent left his situation, and saith, he doth believe, from the circumstances before deposed to, the said Edward Washborn and such lady, during the time they so remained in the said room together, had the carnal use and knowledge of each other's bodies; that this deponent went down stairs into the parlour to Mr. Wilmot the producent, and with whom he staid some short time, and then returned up stairs into the said dining-room with the producent, and was present when he, the said Mr. Wilmot, confronted his said wife, the said Fanny Wilmot, the lady by the deponent hereinbefore deposed of, and charged her with her adulterous conduct towards him, and informed her of his fixed determination to live with her no longer: and further to the said article he knows not to depose.

To the twenty-sixth article of the said libel, this deponent saith, that the said John Wilmot, Esquire, as before deposed, was fetched, as he believes, to the said house in King-street by his fellow-witness, Perrot Fenton, on Monday the said twenty-fifth day of April, and arrived there about half an hour before he confronted his said wife as before deposed; and at the time he charged her with her adulterous conduct as aforesaid, he informed her that she could not be permitted to return to his house; in consequence of which, the said Fanny Wilmot remained at the aforesaid house in King-street, from that time until the next day, as this deponent was informed and believes; and further to the said article he knows not to depose.

To the twenty-seventh article of the said libel, this deponent saith, about two o'clock in the afternoon of the aforesaid Monday the twenty-fifth day April 1791, the said John Wilmot caused the trunks and boxes of the said Edward Washborn, at his lodging in King-street aforesaid, to be searched by McManus, an officer of the peace, in the presence of him the said John Wilmot, said Fanny Wilmot, Edward Washborn, Perrot Fenton, and this deponent, and in said trunks were found a sum of money in new guineas, and a large assortment of new apparel, and also divers prints and drawings, the greater part of which the said Edward Washborn confessed, and the said Fanny Wilmot acknowledged, had belonged, or did belong to her, and also a gold shirt-pin set with hair, a fancy gold ring, a box with shells, a nutmeg-grater, a pocket-book, an inkstand, two riding whips, a straw box, a bottle of scented water, and various other articles, all which the said Fanny Wilmot and Edward Washborn then and there acknowledged had been by her lately presented and given to him, and she, the said Fanny Wilmot, did then and there acknowledge, that the hair which appeared set in the aforesaid shirt-pin, was part of her own hair: and this deponent saith, that no letters were found in the aforesaid trunks and boxes, but the said Edward Washborn, on being questioned thereon, acknowledged, in the presence of the said Fanny Wilmot, that he had received many letters from her, which he had destroyed; and the said Fanny Wilmot then confessed she had written and sent such letters to the said Edward Washborn: and further to the said article he knows not to depose.

The same witness on additional interrogatories.

To the first interrogatory he answers, that he did not hire the lodging in question; that the same was furnished, and consisted of a dining or front-room, on the first floor, and a back-room, a bed-chamber on the second floor; that this respondent did not pay for the same; that he has been paid for his time and trouble, in residing at the said lodging, by his fellow witness, Perrot Fenton,

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ton, and that it was chiefly to oblige him, and on account of the great respectability of the producent's character, that he resided at such lodgings, and took the part he did in the business; that the respondent went to such lodging, on Monday the eighteenth of April last, about seven o'clock in the evening, and left the same on the following Monday, and during that period he slept there every night, except one night, which he believes was Thursday night, the twenty-first day of the said month of April: that he generally staid there until about twelve or one o'clock in the afternoon of each day; but when the ministrant came to visit the said Edward Washborn, the respondent staid later, and the respondent once or twice dined there; and after being out in the course of the day to attend his other concerns, he mostly returned pretty early in the evening; and farther he cannot answer.

To the second additional interrogatory, he answers, that the said Edward Washborn lodged on the first floor, at the house of the said Mary Page, and there were three sashed windows in the room in which the said Edward Washborn lodged; that the windows in the room were so placed, that upon the shutters of the first and third windows being shut, no persons could from any of the contiguous houses, see into the said room, or what was passing in the same, except only through the middle window; but this respondent saith, the view into the same through such middle window, must have necessarily been so oblique and imperfect, that nothing passing in the room could, as he believes, have been distinctly seen, unless the same was quite close to such window; and further he knows not to answer.

To the third additional interrogatory, he answers, there were two looking-glasses in the room, in which the said Edward Washborn lodged; that the same were placed against the middle piers of the aforesaid windows; that the glass between the first and second window was a common sized pier-glass, and the other an oval one of smaller dimensions; that by means of such glasses, which

which hung rather sloping, near the whole of such room might be seen, and person or persons, by means thereof, might be seen therein: and farther or more particularly he knows not to answer.

To the fourth additional interrogatory he answers, that the room in which the said Edward Washborn lodged, was separated from the landing-place and stair-case, by a thick moulded wainscot partition; that the respondent could see what passed in the said room, by means of certain glazed lights in the said wainscot, and the help of the beforementioned looking-glasses; that there were three of such glazed lights, one over the door of the said room, consisting of three common sized squares of glass, one other on the right-hand side of the door going into the said room, consisting of two squares of glass of the common size, and about six feet in height from the floor; and the other glazed light adjoining to the one last-mentioned, consisting also of two squares of glass of the common size, and about five feet in height from the floor. That it was by means of the last two mentioned glazed lights that the respondent looked into the said room; and in further answer to this interrogatory this respondent saith, that on Wednesday the twenty-second of April last, about a quarter past eleven in the forenoon, this respondent being informed that the ministrant was then with the said Edward Washborn, by his fellow-witness, Mr. Fenton, he this respondent, by standing on the second flight of stairs, and the bannisters, and looking through the glazed lights on the right-hand side of the door, and by the help of the aforesaid looking-glasses, particularly the one between the second and third sashed window, he observed the bed-curtain next the fire-place to move or shake, and he was thereby convinced that the ministrant and the said Edward Washborn had retired in the nook or corner of the said room, between the bed and fire-place, though he was not able to see them. That soon afterwards the respondent heard the door unfastened on the inside, and two persons go down stairs, and out at the street-door, but this respondent did not then see

the ministrant. That on Saturday the twenty-third day of April last, about half past ten in the forenoon, this respondent saw the said Fanny Wilmot and Edward Washborn go into the said back room, and shut the door of the same after them, and this respondent then heard the said door fastened on the inside, and soon afterwards by standing on the said second flight of stairs and the bannisters, and looking through the two glazed lights last-mentioned, he observed the shutters of the first and third sashed windows in the said room were closed, and that the middle sashed window was left open, and this respondent saw the said Fanny Wilmot and Edward Washborn stand for some little time in the middle of the room, and then retire to the nook or corner before-mentioned, between the bed and fire-place, and soon afterwards this respondent could plainly see part of the head and curtain of the bed to shake or move; and after the said Fanny Wilmot and Edward Washborn had so been in the said room about forty minutes, this respondent saw them standing in the said room, a little from the said corner, and by the help of the looking-glass between the second and third pier, saw them kiss and embrace each other several times, and the said Edward Washborn then appeared to the respondent to sink down, so that the respondent lost sight of him, but he still saw the said Fanny Wilmot, and observed her to wipe her face with an handkerchief, and this respondent soon afterwards left the house, in order to watch the said Fanny Wilmot home; and this respondent further answering, saith, that on Monday the twenty-fifth day of April last, about a quarter past ten in the forenoon, this respondent being in the dining-room of the said house, with the door partly open, saw the said Fanny Wilmot and Edward Washborn go into the said Edward Washborn's bed-room, and the respondent then heard the door fastened on the inside, and soon afterwards, by standing on the stair-case as beforementioned, and looking through the two glazed lights last mentioned, he saw the shutters of the first and third windows of the said room closed, and he observed the bed-curtains next the fire-place to move or shake, from which circumstance, and not seeing either

of the said parties, he was convinced they had retired into the corner or nook before noticed. That about eleven o'clock in the forenoon of the same day, this respondent heard the door of the said room unfastened on the inside, and saw the said Edward Washborn come out of and return into the said room, and the respondent again heard the door fastened on the inside, and soon afterwards this respondent again looked through the two last-mentioned glazed lights, but not seeing either of the parties, he supposed they were in the nook or corner before described, and he thereupon opened two of the holes he had made in the said wainscot, between the said room and the first stair-case, in the forenoon of the preceding day, and by means of such holes he could plainly and distinctly observe every thing passing in the said nook or corner before described, and saw the said Fanny Wilmot and Edward Washborn standing together face to face, and they appeared to be in conversation, but they spoke so low that the respondent could not hear what they said; that after the said Fanny Wilmot and Edward Washborn had stood for some few minutes in conversation, this respondent by means of such holes, saw them set down by each other on the bed-side, with their faces towards the fire-place, so that the respondent could plainly see their persons; and he saw the said Edward Washborn take the said Fanny Wilmot by the left-hand and kiss the same, and then saw the said Edward Washborn pull her petticoats up with his right-hand, higher than her knees, so that the respondent could plainly see her naked thighs, and the respondent then saw the said Edward Washborn stoop and kiss her right-thigh, and after he had so done, this respondent saw him put his right-hand up her petticoats, and keep the same there for some little time, the said Fanny making some resistance thereto; that this respondent then saw them get up from off the said bed, and stand face to face, and this respondent perceived the flap of the said Edward Washborn's breeches unbuttoned; and this respondent again saw the said Edward Washborn put his hand up her petticoats, the said Fanny Wilmot making some little resistance thereto as before, and standing rather cross legged; and this respondent observed the said Edward Washborn's

born's left hand about the waist of the said Fanny Wilmot; and farther or otherwise he knows not to answer to the said interrogatory.

To the fifth additional interrogatory, he answers, he never saw the said Fanny Wilmot, and the said Edward Washborn, lying down together on the bed, in the said room; and the respondent will not take upon him to depose, that he actually saw the ministrant guilty of the crime of adultery with the said Edward Washborn, or with any other person.

To the sixth additional interrogatory, he answers, that the ministrant called upon the said Edward Washborn, at his said lodging, on the twenty-fifth day of April, one thousand seven hundred and ninety-one; that she so called upon him about a quarter after ten o'clock in the forenoon of that day; that his fellow witness, Perrot Fenton, left the house for the purpose of fetching the producent, and returned with him about eleven o'clock that forenoon; that the ministrant, on her leaving the room of the said Edward Washborn, was, he believes, informed of the producent's being in the house; that the ministrant declared, in the most solemn manner, her being innocent of the crime of adultery imputed to her, and she in the most solemn manner solicited that her oath might be taken, as to her being innocent of the crime imputed to her, and that she might be permitted to go home, and that the producent would overlook her indiscretions, and forgive her. That his fellow witness Perrot Fenton, told her, upon being appealed to, there could be no doubt of the fact of adultery, from the circumstances of the case, and it would be presumed against her, or he expressed himself in words to that or the like effect: and farther he knows not to answer to the said interrogatory.

To the seventh additional interrogatory he answers, that he is a stranger to the circumstance of the ministrant's delivering any letter she had written to the producent, to Jane Johnson.

Mrs. Page's maid-servant, or to Mr. Fenton's taking possession thereof, and knows not to answer to the said interrogatory.

To the 8th additional interrogatory he answers, that the miniftrant was forbidden to return to the producent's house, in Bedford-row, and the respondent believes the miniftrant was under the necessity of remaining at Mrs. Page's house, in King-street, the night of the twenty-fifth day of the said month of April; that the said Perrot Fenton, and this respondent, both promoted the same, and said they would intercede with the said Mrs. Page for the miniftrant to remain there that night; and the said Perrot Fenton and the respondent did apply and speak to the said Mrs. Page to that effect, and this respondent hath been informed, and believes, that the miniftrant slept with the said Mrs. Page's daughter, the night of the said twenty-fifth day of the said month of April, and he believes the said Mrs. Page's daughter is about nineteen or twenty years old: and farther he knows not to answer.

To the ninth additional interrogatory he answers, that from what he hath heard, he believes the said Edward Washborn did not sleep at the said Mrs. Page's house on the night of the said twenty-fifth of April, but that he was to have left, and did leave his said lodging, at the said Mrs. Page's, on that evening, and that he went that same evening to Colonel Popham's, into whose service he had been hired, and to which place he was by appointment to go that evening, or this respondent hath heard, and verily believes; and farther he knows not to answer.

THOMAS SCATCHARD.

SAMUEL

JUNE 21, 1791.

SAMUEL CLOUGH, Servant to **JOHN WILMOT**, Esquire, one of the parties in this cause, at his house in Bedford-row, in the county of Middlesex; aged upwards of twenty-eight years, a witness produced and sworn.

To the seventh article of the said libel, this deponent saith he knows not to depose.

To the thirteenth article of the said libel he deposes, that on or about the twenty-sixth day of the month of February last, he was hired, and went to live in the service of John Wilmot, Esquire, one of the parties in the above cause, in the capacity of footman, in whose service and in which capacity the deponent has lived ever since; and he saith, that during the time he lived in such service, to wit, in the latter part of the said month of February, and in the months of March and April following, the articulate Edward Washborn, who, as the deponent understood, had been discharged from the service of the said John Wilmot, about three weeks prior to the time this deponent was hired, as pre-deposed, frequently went to the house of the said John Wilmot, in Bedford-row, chiefly when his said master was absent from home; that this deponent hath several times heard the articulate Elizabeth Smith invite the said Edward Washborn to dine in the kitchen; and he saith, that he the said Edward Washborn frequently, upon such invitation, did dine with the deponent and the other servants in the kitchen, at the house of the said John Wilmot, in Bedford-row aforesaid, and at such times his said master was generally absent from home; that a short time after dinner, Fanny Wilmot, wife of the said John Wilmot, one of the parties in this cause, usually rang the bell, which was some times answered by this deponent, and then his said mistress would
tell

tell him she wanted Smith. That the said Elizabeth Smith then went up stairs to her mistress, and came down again almost immediately, and told the said Edward Washborn he was wanted up stairs, or she would at such times make a signal for him to go up, by waving her hand; that thereupon the said Edward Washborn always went up stairs immediately; and this deponent saith, that he several times went into the parlour or sitting-room, whilst the said Fanny Wilmot and Edward Washborn were in the said room, to carry messages to his mistress, and he verily believes, that the said Fanny Wilmot, by the assistance of the said Elizabeth Smith, did continue and carry on a correspondence with the said Edward Washborn privately, and unknown to the said John Wilmot her husband: and further to the said article the deponent knows not to depose.

To the fifteenth article of the said libel, this deponent saith, that on Friday the twenty-fifth day of March last, in the afternoon, the articulate Elizabeth Barnes went out and returned home to the house of the said John Wilmot, in Bedford-row aforesaid, about eight o'clock the same evening, and immediately asked this deponent where her mistress was, and the deponent answered, that she was in the back drawing-room, for any thing that he knew to the contrary, upon which the said Elizabeth Barnes went up stairs, towards the said drawing-room, and soon afterwards came down stairs to the servant's hall, and said, that she thought it very odd, for that the drawing-room door was fastened. That then the articulate William Garthwaite, the butler, said, there was something going on more than ought to be, and desired the deponent to place himself in a situation, to see if any body went out at the street door, and the deponent accordingly went into area, where he could see any person who went out of or into the said house; that in the course of about five or six minutes afterwards, whilst the deponent remained in the area, he observed the street-door opened, and saw the articulate Edward Washborn go through the door-way out of the house, after which the said door was shut softly. That previous

to the time the said Elizabeth Barnes came home, on the said Friday evening, as pre-deposed to, this deponent knew not, and he believes neither of his fellow servants in the house knew, that the said Edward Washborn was in the said house; and he saith, that the said John Wilmot went out early in the afternoon of the said twenty-fifth of March, and was absent from home until about the hour of nine or ten that evening: and further he cannot depose.

To the seventeenth article of the said libel, this deponent saith, that in the afternoon of Tuesday the twelfth day of April articulate, he attended his master, the said John Wilmot, behind the carriage, as far as the Treasury, Whitehall, and the deponent then, after having set his master down, returned home to dinner, to Bedford-row aforesaid; that almost immediately after dinner, his fellow servants, Elizabeth Smith, Elizabeth Barnes, and William Garthwaite, went out, as the deponent understood, to Covent-Garden Theatre, to see a play; and about half an hour after six o'clock the same evening, the said William Garthwaite returned home alone, and sent for this deponent to go to him in the stable, and when the deponent went to the stable, the said William Garthwaite told him, that his master would be home about seven o'clock, and wished the deponent to see if he could discover what was going on; and that he also wished Garthwaite to be got into the house privately, for the same purpose: that accordingly the deponent, about eight o'clock the same evening, went to the said back drawing-room, upon pretence of making up the fire, but in fact to see whether his mistress was in the room, as in case of her absence the deponent thought it would be a good opportunity to let Garthwaite into the house; and the deponent saith, that upon trying to open the said drawing-room door, he found the same locked or fastened on the inside; that the deponent then went down stairs, but before he had got to the bottom, the said drawing-room bell rang, and he immediately went up stairs again to answer the bell, and again found the said door locked or fastened; that upon the deponent knocking

knocking at the door, the said Fanny Wilmot called out to him to come in at the other door; and the deponent accordingly went to another door of the said drawing-room, which said door the deponent never remembers to have seen open before that time, and he saith, that he found such door then open, and when he went into the room, the said Fanny Wilmot was sitting near the fire, which was very low, and had almost burned out; and she appeared very much confused and different to what he had ever seen before; and she then, with much apparent surprize and agitation of mind, ordered the deponent to bring up tea and candles. That the deponent immediately went down, and whilst he was preparing for tea in the servants' hall, (a room almost underneath the stair-case) he heard the noise of persons walking down stairs, and though he did not look to see who was there, he is well convinced that at such time there was more than one person upon the said stair-case; and the deponent, in less time than a minute afterwards, heard the street door opened and shut again: that by reason of the circumstance pre-deposed to by him, he the deponent saith, he verily believes the said Edward Washborn was privately and secretly let into the house of the said John Wilmot, on the said twelfth of April, and was at the time this deponent went into the said drawing-room, and for some time prior thereto, had been concealed therein by the said Fanny Wilmot, and that they, the said Edward Washborn and Fanny Wilmot, then and there committed the crime of adultery together: and further he cannot depose.

SAMUEL CLOUGH.

JUNE 23, 1791.

MARY PAGE, of King-street, in the parish of Saint George, Bloomsbury, in the county of Middlesex, widow, aged about sixty-five years, a witness produced and sworn.


TO the twentieth article of the said libel, this deponent saith, that for many years last past, she hath lived and resided in the house numbered 12, in King-street, articulate, of which house this deponent possesses the lease for a term of years unexpired; and she saith, that eleven weeks prior to Easter Monday last, to wit, some time in the beginning of the month of February 1791, the articulate Edward Washborn applied to this deponent to take an apartment or lodging in her said house, and this deponent conceiving him to be a gentleman, and having received a character of him as such, immediately agreed to let the said Edward Washborn the use of a bed-room in her said house; and on the same day he took possession of the said lodging, and lived and resided there during eleven weeks, and then on Easter Monday last quitted such lodging; that during the time the said Edward Washborn so lived in the deponent's house in King-street aforesaid, he was several times visited there by the articulate Elizabeth Smith, whom the deponent and her servant then understood, and believed to be, his aunt; and further she cannot depose.

To the twenty-first article of the said libel, this deponent saith, that during the time he, the said Edward Washborn, lived and resided in the deponent's aforesaid house in King-street, as pre-deposed, to wit, about a fortnight or three weeks subsequent to the time he hired such lodging, she, the deponent, observed the said Edward Washborn go down stairs and open the street-door, and let a female person into the house, and such female person went up stairs immediately with the said Edward Wash-

Washborn into his apartment or lodging-room, and after remaining with him there some short time, came down stairs again, accompanied by the said Edward Washborn, and then left the house; that from such time the said female person continued to visit the said Edward Washborn at his aforesaid lodgings, about twice in the course of every week, during the time the said Edward Washborn continued to reside in this deponent's aforesaid house, and, as the deponent now best remembers, was always let into and out of the said house by the said Edward Washborn, and they, the said Edward Washborn and such female person, were always together in his aforesaid lodging or bed-room, and alone, as she believes, during such her visits to him as pre-deposed, but the deponent does not think they ever remained together at such visits for a considerable time; that the aforesaid lodging or bed-room, is a back-room up one pair of stairs, and had therein, at the time the same was occupied by the said Edward Washborn as pre-deposed to, three sashed windows; that the said bed-room may be a little overlooked or seen into by persons in the houses opposite thereto, when that window shutter farthest from the door of the said room happens to be open, but cannot be much looked into by the neighbours at any time; that when the middle window shutters are opened, the said bed-chamber is less liable to be overlooked or seen into by the neighbours, than when the shutters of the first or third of such windows are opened: And this deponent saith, that such female person who so frequently visited the said Edward Washborn at this deponent's aforesaid house, as by her pre-deposed to, was and is Fanny Wilmot, the wife of John Wilmot, Esquire, one of the parties in this cause, as she verily in her conscience believes: and further she cannot depose to the said twenty-first article.

To the twenty-sixth article of the said libel, this deponent saith, that on Easter Monday, to wit, some time in the latter part of the month of April last, the articulate John Wilmot came to her house aforesaid, in company with two other persons, and

and there found and discovered the said Fanny Wilmot, in company with the said Edward Washborn, in his aforesaid lodging-room or bed-chamber: that the deponent heard the noise of persons walking over-head, went up stairs to see what was the matter, and was immediately informed by the said John Wilmot, that that person (thereby meaning, and at the same time looking towards, the female person by her pre-deposed of, and who so visited the said Edward Washborn) was his, the said John Wilmot's wife: And the deponent further saith, that by the producent's desire, she, the said Fanny Wilmot, remained in her said house all that night, and until about nine o'clock the following morning, and the said Edward Washborn quitted the said house on the said Monday evening about seven o'clock: and further she cannot depose.

 MARY PAGE.

RICHARD

JUNE 24, 1791.

RICHARD TOWNSEND, of Doctor's Commons, London, Gentleman, aged nineteen years and upwards, a witness produced and sworn.

TO the second article of the said libel, and to the exhibit or paper writing marked No. 1. and therein pleaded and exhibited, this deponent, that he now is, and for four years last past, has been a clerk in the office of Mr. Charles Bishop, the producent's proctor: That in consequence of such his situation, he some time in or about the month of May last, attended the Registry of the Archiepiscopal See of Canterbury, and then and there collected the said exhibit No. 1. with the original affidavit remaining of record in the said Registry, and found the same to agree therewith; and he saith, the same exhibit is, and doth contain, a true copy of the said original affidavit, and was signed by Robert Jenner, Notary Public, and one of the registers of the said See, in this deponent's presence; and from what he hath heard, he doth believe that the said John Wilmot, and Fanny Sainthill therein mentioned, and John Wilmot and Fanny Wilmot, formerly Sainthill, parties in this cause, were and are the same persons, and not divers; and that Jemima Sainthill, therein also mentioned, and Jemima Sainthill, widow, the mother of the said Fanny Wilmot, formerly Sainthill, was, and is one and the same person, and not divers.

RICHARD TOWNSEND.

JOHN

JUNE 24, 1791.

JOHN SERGEANT, of Doctor's Commons, London, Gentleman, aged sixteen years and upwards, a witness produced and sworn.

TO the fourth article of the said libel, and to the exhibit or paper writing marked No. 2. therein pleaded and exhibited, and now produced and shewn to the deponent, he saith, that he now is, and for about sixteen months last past, has been a clerk in the office of Mr. Charles Bishop, the Proctor of John Wilmot, Esq. one of the parties in this cause; that in consequence of such his situation, he, on Friday the thirteenth day of May last past, attended at the parish-church of Saint George, Hanover-square, in the county of Middlesex, and searched the register-book of marriages kept in and for the said parish, and then and there found an entry of the marriage of John Wilmot, Esquire, and Fanny Sainthill; and this deponent made a copy thereof, and having so done, he, this deponent, carefully collated the copy he had so made, with the said original entry, and found the same to agree therewith; and this deponent saith, the said exhibit marked No. 2, now shewn to him, is the very copy he so made from and collated with the said original entry, and is and doth contain a true copy of the original entry of the said marriage, and from what he hath heard, he doth believe, that John Wilmot and Fanny Sainthill therein mentioned, and John Wilmot and Fanny Wilmet, formerly Sainthill, his wife, the parties in this cause, were and are the same persons.

JOHN SERGEANT.

SENTENCE.

This very singular Cause was first brought into the Consistory Court of London—and from thence an Appeal was made to the Arches Court of Canterbury; where a Sentence of Divorce was obtained.

FINIS.

